

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

ROBERT RHODES,

Defendant.


No. 18-cr-373 (RJS)
ORDER

RICHARD J. SULLIVAN, Circuit Judge:

The Court is in receipt of a letter from Defendant Robert Rhodes, dated July 9, 2020, requesting compassionate release under the First Step Act of 2018, 18 U.S.C. § 3582. While the Court has publicly docketed that letter (attached hereto), Defendant also provided the Court with various medical records. The Court has reviewed this private medical information and concluded that the presumption in favor of open records is outweighed by Defendant's privacy interest. *See United States v. Amodeo*, 71 F.3d 1044, 1051 (2d Cir. 1995). Accordingly, IT IS HEREBY ORDERED THAT the attachments to Defendant's letter shall be filed under seal. IT IS FURTHER ORDERED THAT the government shall file a letter by July 24, 2020, setting forth its position on Defendant's request.

SO ORDERED.

Dated: July 20, 2020
New York, New York



RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation

①
7/9/2020United States District Court
2nd Circuit Southern District of New YorkRECEIVED
2020 JUL 16 PM 12:39
CLERK'S OFFICE
U.S. COURT OF APPEALS

TO: Hon. Richard J. Sullivan

THIS Motion requested under 18 U.S.C. § 3582.

On these Grounds while being housed at MDC Federal holding Facility On 9/12/18 Woke up to me Feeling like I was having a MILD Stroke Suddenly I Felt My left eye would not close, My tongue felt "Numb" When I brushed My teeth Water Would dribble Out My Mouth. When speaking to My Medical provider She told me the diagnoses was bell's palsy She said when I asked her how u contract bell's palsy I was told herpes, High blood pressure, Lyme disease after doing blood test I was told I have lyme disease When I first arrived at MDC Brooklyn I tested negative For all three symptoms I had bells palsy For 2 additional Months before I was cured. I had suffered From the January 27, 2019-Feb 3, 2019 Black Out In MDC Brooklyn Holding Facility In that seven-day period while being Confined at MDC; 1) there was no electricity and no functioning lights, and I was confined in near-darkness; 2) there was little to no heat and I was confined in Freezing Cold temperatures without adequate clothing or blankets; 3) there was a building-wide lockdown and I was confined to My Cell For long periods of time; and (4) I had little to no access to Clean laundry, Hot Food, regularly Scheduled Meals, Functioning →

(2)

7/9/2020

~~Functioning~~

to Pets, regular Showers, Hot Showers and hot Water, Medical or psychiatric Care, exercise, Commissary, or Outside communications with My Family or lawyers via email, pay phone, or visits. This all happen While being Confined in Cell #122 Unit G42. Between January 27, 2019 and February 3, 2019, I suffered From: pain and discomfort From an Untreated, infected, and bleeding abscess in My buttocks area, a head cold and congestion, insomnia, dizziness, and depression. During this period, I was not provided with needed Medical Care. Specifically, I was not provided with pain Medication, quaze, and frequent Showers for My abscess, I repeatedly requested Medical care for My abscess, including the ability to properly Clean the Wound to prevent infection, but I was denied. For several days, I was not provided with the prescription Medication I take daily to Manage My Mental health symptoms, which caused Withdrawal symptoms including stress, dizziness. I am presently being held in FCI Schuylkill special housing Unit. It's been almost 6 months I been Locked down 24 hours a day 7 days a week and. Still not receiving Medical Care for the anorectal abscesses that I had since August 2018. Suffering From heavy bleeding discomfort From Untreated Open Wounds. The bleeding goes on for days I have to Change My Underpants because they be soaked with blood I use the bathroom I can barely wipe My buttocks without it being extremely painful. I go through depression, stress stages praying I don't die in Jail From Covid/19 or die From injuries I sustained While being in FBOP custody I hope u Can please reply to My Motion 18 USC §3582 at your earliest convenience thank \$Goddess Robert Hodges 8577005

③

7/9/2020

Southern district of New York 2nd circuit
United States district Court

#3 Attachments to this Motion in regards to this matter

Case 18 cr 373 (RJS)

Judge Sullivan

Sentence 54 Months

Release date projected 7/11/2022

Federal Attorneys For Defendant

Bennett M. Epstein

Sarah M. Sacks

Very truly yours,
Robert Rhodes
85770054

Robert Rhodes 85770054

Federal Correctional Institution Schuylkill

P.O. Box 759

Minersville, PA 17954-0759

Mailed from

Federal Correctional Institution

Schuylkill, PA

RECEIVED

2020 JUL 16 AM 10:14

U.S. COURT OF APPEALS

TO Hon. Richard J. Sullivan

Southern district of New York 2nd circuit
500 Pearl st

New York, NY 10007

* Legal Mail *

LIC 18-1P3
SDNY

Legal Mail

10007-1315 0013

10007-1315 0013